

WNI 18-023609

Shapiro & DeNardo, LLC
14000 Commerce Parkway, Suite B
Mount Laurel, NJ 08054
(856)793-3080
Chandra M. Arkema - 029552006
Krystin M. Kane - 171402015
Kathleen M. Magooon - 040682010
Donna L. Skilton - 013072007
Charles G. Wohlrab - 016592012
Courtney A. Martin - 098782016
Jeffrey Rappaport - 003431991

ATTORNEYS FOR WELLS FARGO BANK, N.A.

IN RE: UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY

CANDIA S. HAYNES A/K/A CANDIA
SKIPPER, DEBTOR

CASE NO.: 18-22934-SLM
CHAPTER 13

HEARING DATE: AUGUST 22, 2018

NOTICE OF OBJECTION TO CONFIRMATION

The undersigned, Shapiro & DeNardo, LLC, attorneys for the Secured Creditor, Wells Fargo Bank, N.A., the holder of a Mortgage on Debtor's property located at 25 Freedom Place, Jersey City, New Jersey 07305, hereby objects to the Confirmation of the Debtor's proposed Chapter 13 Plan on the following grounds:

- 1) Debtor's proposed Chapter 13 Plan does not provide for the curing of the full amount of the mortgage arrears accrued at the time of the Bankruptcy filing to Secured Creditor. Debtor's Plan proposes to pay Secured Creditor \$0.00. Secured Creditor is owed pre-petition arrears in the amount of \$381.09.
- 2) Debtor's Chapter 13 Plan does not provide for the Secured Creditor to receive distributions with a value equal to the allowed amount of its claims required by 11 U.S.C.1325(a)(5)(B)(ii).

- 3) Debtors proposed Chapter 13 Plan list Secured Creditor as unaffected, but fails to list Secured Creditor under Part 4 of the Chapter 13 Plan for curing and maintaining payments.
- 4) Debtor's Chapter 13 Plan does not explicitly provide the amount to maintain ongoing contractually due monthly obligations to Secured Creditor in violation of 11 U.S.C. 1322(b)(5).

WHEREFORE, Wells Fargo Bank, N.A. respectfully requests that the Confirmation of Debtor's Chapter 13 plan be denied and that the Debtor be required to file an Amended Chapter 13 Plan providing for full payment of arrears due to the Secured Creditor.

SHAPIRO & DENARDO, LLC

By: /s/ Charles G. Wohlrab
Charles G. Wohlrab, Esquire

Dated: 7/31/18

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CERTIFICATION OF SERVICE

I, Emily White

1. represent the _____ in the above-captioned matter.

am the secretary/paralegal for Charles G. Wohlrab, Esquire, who represents the Secured Creditor in the above-captioned matter.

am the _____ in the above case and am representing myself.

2. On August 1, 2018, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below:

Notice of Objection to Confirmation of Plan,

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Signature


Emily White

Dated: August 1, 2018

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Russell L Low Low & Low 505 Main Street Suite 304 Hackensack, NJ 07601		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
Marie-Ann Greenberg, Trustee 30 Two Bridges Road Suite 330 Fairfield, NJ 07004		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
Candia S. Haynes a/k/a Candia Skipper 25 Freedom Place Jersey City, NJ 07305		<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)

SHAPIRO & DeNARDO, LLC

ATTORNEYS AT LAW

A PENNSYLVANIA LIMITED LIABILITY COMPANY

14000 Commerce Parkway, Suite B
Mount Laurel, NJ 08054

Tel: (856) 793-3080 Fax: (847) 627-8809

GERALD M. SHAPIRO +++
DAVID S. KREISMAN **
CHRISTOPHER A. DeNARDO +

+ Licensed in New Jersey and Pennsylvania
++ Licensed in New Jersey and New York
+++ Licensed in Illinois and Florida
++++ Licensed in New Jersey and Florida
+++++ Licensed in Rhode Island and New Jersey
*+ Licensed in New Jersey, Pennsylvania, Florida
* Licensed in New Jersey Only
** Licensed in Illinois Only
*** Licensed in Pennsylvania Only

NJ Attorneys

CHANDRA M. ARKEMA +
Managing Partner - NJ
KATHLEEN M. MAGOON *
Supervising Foreclosure Attorney
KRYSTIN M. KANE++++
COURTNEY A. MARTIN*+
DONNA L. SKILTON +
CHARLES G. WOHLRAB +
JEFFREY RAPPAPORT*
GARY M. KANELLIS ++
Of Counsel

July 31, 2018

United States Bankruptcy Court
Martin Luther King, Jr. Federal Building
50 Walnut Street
Newark, NJ 07102

In Re: Candia S. Haynes a/k/a Candia Skipper, Debtor
Case No: 18-22934-SLM
Chapter: 13
Secured Creditor: Wells Fargo Bank, N.A.
Our file number: 18-023609

Dear Court Clerk:

Enclosed please find Notice of Objection to Confirmation, said Confirmation Hearing presently scheduled before the Court on August 22, 2018 at 9:00AM.

Thank you for your attention.

Very truly yours,
Shapiro & DeNardo, LLC

By: /s/ Charles G. Wohlrab
Charles G. Wohlrab, Esquire

Enclosures

cc: Russell L Low, Debtor's Attorney
Marie-Ann Greenberg, Trustee, Trustee
Candia S. Haynes a/k/a Candia Skipper, Debtor
25 Freedom Place
Jersey City, NJ 07305